

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ARNDT et al.

Appl. No.: To Be Assigned

Filing Date: Herewith

Title: Methods Using dsDNA to Mediate RNA
Interference (RNAi)

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 968094.00002

INFORMATION DISCLOSURE STATEMENT

U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Randolph Building
Alexandria, VA 22314

Sir:

Listed on the accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that an exhaustive search has been made, or that there does not exist information more material to the examination of the present patent application. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will review art of record in all 35 U.S.C. § 120 priority documents.

☒ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

☐2. The Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

☐a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐c. Attached is our check no. _____ in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p).

☐3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicants hereby petition that the Information Disclosure Statement be considered. Attached is our check no. _____ in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

☐a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐b. I hereby certify that no item of information on this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐4. Relevance of the non-English language document(s) is discussed in the present specification. See pages _____ of the specification of the present application.

☒5. The document(s) was/were cited in a corresponding foreign application. ☒ A copy of a search report issued in the foreign application is attached. ☐ An English language version of the foreign search report is attached for the Examiner's information. M.P.E.P. § 609 (A)(3).

☐6. A concise explanation of the relevance of the non-English language document(s) ☐ is attached hereto or ☐ appears below.

- ☐ 7. The Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed _____, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☐ 9. Other: _____.

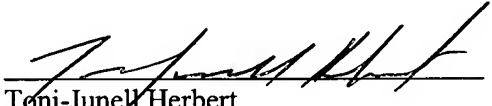
It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-0622

Respectfully submitted,

REED SMITH LLP

By:


Toni-June Herbert
Reg. NO. 34,348

Date: _____

3/3/05

1301 K Street, N.W.
Suite 1100 – East Tower
Washington, DC 20005

32256
PATENT TRADEMARK OFFICE

FORM PTO 1449 <u>INFORMATION DISCLOSURE STATEMENT</u>	ATTY. DOCKET NO. 968094.00002	APPLICATION NO. To Be Assigned
	APPLICANT(S) ARNDT et al.	
	FILING DATE Herewith	GROUP To Be Assigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1						
	AB1						
	AC1						
	AD1						
	AE1						
	AF1						
	AG1						
	AH1						
	AI1						
	AJ1						
	AK1						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION
	AL1	WO00/63397	10/2000	WO			<input type="checkbox"/> Yes <input type="checkbox"/> No
	AM1	1 229 134	08/2002	EP			<input type="checkbox"/> Yes <input type="checkbox"/> No
	AN1	WO03/046173	06/2003	WO			<input type="checkbox"/> Yes <input type="checkbox"/> No
	AO1	WO 03/046186	06/2003	WO			<input type="checkbox"/> Yes <input type="checkbox"/> No
	AP1						<input type="checkbox"/> Yes <input type="checkbox"/> No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	1	Brummelkamp, et al., "A system for stable expression of short interfering RNAs in mammalian cells," Science 2002; 296: 550-553.
	AS	1	Morris, et al., "Glycolysis modulates trypanosome glycoprotein expression as revealed by an RNAi library," The EMBO Journal 2002; 21(17): 4429-4438.
	AT	1	Wang, et al., "Inhibition of <i>Trypanosoma brucei</i> Gene Expression by RNA Interference Using an Integratable Vector with Opposing T7 Promoters," J Biol Chem 2000; 275(51): 40174-40179.
EXAMINER			DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.			

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2						
	AB2						
	AC2						
	AD2						
	AE2						
	AF2						
	AG2						
	AH2						
	AI2						
	AJ2						
	AK2						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2						<input type="checkbox"/> Yes <input type="checkbox"/> No
	AM2						<input type="checkbox"/> Yes <input type="checkbox"/> No
	AN2						<input type="checkbox"/> Yes <input type="checkbox"/> No
	AO2						<input type="checkbox"/> Yes <input type="checkbox"/> No
	AP2						<input type="checkbox"/> Yes <input type="checkbox"/> No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>2</u>	International Search Report for PCT Application No. PCT/AU03/01142.
	AS	<u>2</u>	
	AT	<u>2</u>	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.